

DIST/OFFICE	DOCKET		FILING DATE				J	N/S	O	R	R 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR											YR.	NUMBER
1085/4	76	0514	10	13	76	4		360	1	31				8509	D	76	514-B

PLAINTIFFS

TRUCK INSURANCE EXCHANGE,
a corporation

DEFENDANTS

DALE TREAT, ERWANDA TREAT and
BILLY EARNEST SANDERS

CAUSE

Declaratory judgment action under provisions of T. 18, Sec. 2201, et al

ATTORNEYS

Ray H. Wilburn
603 Beacon Building
Tulsa, Ok. 74103
918-584-6476

John P. Scott (Dale & Erwanda Treat)
6130 E. 32nd St., Suite 116
Tulsa, OK 74135 664-9840

☐ CHECK
HERE
IF CASE WAS
FILED IN
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FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED

JS-5 11-1-76

JS-6 6-1-77

BARROW

DATE	NR.	PROCEEDINGS
1976		
10-13	1	Complaint, filed. Summons issued. g
10-18	2.	Pltf's Notice of Suit to defts, filed. lm
10-22		Summons, ret. & filed: served Erwanda Treat & Dale Treat 10-18-76; Billy Earnest Sanders 10-21-76; by serving Secy. of State; unserved as to Billy Earnest Sanders 1250 So. Memorial, Tulsa. (USM \$16.00)g
12-14	3.	Answer of defts. Dale Treat & Erwanda Treat, filed w/ JURY TRIAL DEMAND.k
1977		
1-13	MO	Parties are directed to hold PT conf. on or before 2-25-77 & file PT Order on or before 3-4-77. (AEB-J)k cps mld
3-7	4	PT order fld. cps mld. ho
4-12	MO:	Case set for Jury trial on 5-9-77, at 9:30 A.M. (AEB-J)b nts cert ml w/affid.
5-2	5	Addendum to PT order. fld. ho
5-5		Subpoenae, rt & fld; served Billy Earnest Sanders & Dale Bryson. g
5-9		Case called for jury trial. Parties present & announce ready, Jury selected. Jury to report back on 5-12-77, at 10:00 A.M. to begin trial. Witnesses for both parties recognized back on 5-12-77. (AEB-J)b
5-10		MO: Due to trailing docket, case passed on daily basis from 5-12-77. (AEB-J)b <i>step called</i>
5-13	MO:	Parties to report for jury trial on Tues. 5-17-77, at 10:00 A.M. (AEB-J)b nts by phone
5-18		Case tried to jury on 5-17-77 & 5-18-77. Parties present & rep. Jury previously selected & sworn on 5-9-77. Parties make opening statements. Pltf. present case in chief, witnesses sworn & testify & rests. Deft. presents case in chief, witnesses sworn & testify, & rests. Pltf. presents rebuttal evidence w/test. of witness & rests. Pltf's motion for mistrial overruled. Parties rest. Closing arguments made & Ct. instructs jury. Bailiff sworn & Jury retires to deliberate at 4:00 P.M., on 5-18. Pltf's renewed motion for mistrial overruled. 4:50 P.M., Jury returns w/verdict finding in favor of the defendants. Verdict, received, read & filed in open court & Ct. orders verdict spread of record by Clk. Jury discharged. Pltf. renews motion for mistrial & for Judgment notwithstanding verdict. Pltf. to file written motion. Ct. advises parties to try & work out settlement. Ct. adjourned. (AEB-J)b
5-18		Verdict, filed, finding in favor of defendants, Dale Treat, Erwanda Treat & Billy Earnest Sanders, & against the Pltf, Truct Insurance Exchange.b
5-18		Pltf. trial exhibit #1, filed. b
5-19	6	Judgment, filed & entered, finding in favor of the defendants Dale Treat, Erwanda Treat & Billy Earnest Sanders and against the Plaintiff Truck Insurance Exchange & that Defendants recover of the Plaintiff their costs of action. (JCS-Clk) b cps mld
5-19	7	Pltf. mot. & brief for new trial.fld. ho
5-19	MO	It is ordered by the Ct. that the Defts. file a responsive brief w/in 10 days to Pltfs. mot. for new trial. (AEB-J) cps mld. ho
5-20	8	Pltf. amended mot. for new trial. fld. ho
5-24		Reporters transcript of proceedings had on 5-18-77 testimony of Billy Earnest Sanders. fld. ho (GRD-CSR)
5-25		Reporters transcript, of proceedings had on 5-18-77, Jury Instructions. fld. (GRD-CSR) ho
5-26	9	Defts., Dale Treat & Erwanda Treat, appl for ext. of time to file brief fld. ho O to J.
5-27	10	Order, fld. granting Defts., Dale & Erwanda Treat, an ext. of time until 6-11-77 to file their response to Pltf. brief. (AEB-J) cps mld. ho
6-8	11	Defts., Dale & Erwanda Treat, response to Pltfs. mot. for new trial. fld. ho
6-10	MO	The Court having reviewed the Mot. for New Trial and "Brief" and Amended Motion for new trial filed by the pltf.; the responsive brief of the defts., and, being fully advised in the premises, finds: That the pltf. should file a brief citing case law in support of the mot. for new trial and amended mot. for new trial within 10 days from this date, to reveal the exact case law relied on in support of said mot. (AEB-J)k cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>76-C-514</u>
Truck Ins. Exchange	Dale Treat, et al	PAGE <u>3</u> OF <u>2</u> XXXXX sheets

DATE 1977	NR.	PROCEEDINGS
6-15	12.	Pltf's reply to defts' response, filed.k <i>mc notified</i>
6-30	13	Pltf. appl. for hrg. on Pltf. mot. for new trial. fld. ho 0 to J.
8-15	14.	Order, filed & entered, that pltf's mot. for new trial and amended mot. for new trial should be overruled, and that pltf's appl. for hearing should be denied. (AEB-J)k cps mld
9-14	15.	Notice of appeal by pltf. from order of 8/15/77, filed. rm - copy to USCA
9-14	16.	Cost bond on appeal (\$250 surety), filed. rm
10-11	---	Reporter's transcript of jury trial proceedings had on May 17 and 18, 1977, filed. rm
10-17		Appeal record (2 vols.) sent to USCA. g
10-31	--	Letter from 10th Circuit, assigning No. 77-1888. rm
10-25-78	17.	Mandate of 10th Circuit, filed and spread of record, dismissing appeal on motion of appellant.rm
10-27	--	Orig. appeal record (2 vols) received from USCA.rm

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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